

REMARKS/ARGUMENTS

Claims 35, 36 and 38-54 are currently pending in the application. It is respectfully requested that claim 37 be canceled. Claims 1-34 were previously canceled in a response to a restriction requirement dated August 1, 2005, and may be filed in one or more divisional applications. Applicant requests reconsideration of the application in view of the following remarks.

Rejections under 35 U.S.C. §102

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Brothers v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The identical invention must be shown in as complete detail as is contained in the claim. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Examiner rejects claim 35 under 35 U.S.C. 102(e) as being anticipated by Shelton et al. (U.S. 20030190280). Applicant respectfully traverses this rejection. Examiner has indicated that claims 36-54 are allowed. Hence, to expedite the prosecution of this application, Applicant has amended claim 35 by including the limitations of claim 37 therein. It is respectfully requested that claim 37 be canceled. Applicant believes that claim 35 is now in condition for allowance because claim 37 is indicated as being allowed.

Applicant hereby declares that any amendments herein that are not specifically made for the purpose of patentability are made for other purposes, such as clarification, and that no such changes shall be construed as limiting the scope of the claims or the application of the Doctrine of Equivalents.

Applicant has amended and canceled the aforementioned claims herein solely to expedite prosecution of this application. In doing so, Applicant does not dedicate the subject matter of the amended and canceled claims to the public, and does not acquiesce to the Examiner's

reason(s) offered in support of the rejections of the amended claims. Applicant also reserves the right to seek patent protection for claims similar or identical to the amended and/or canceled claims in one or more subsequently filed, related applications.

Applicant would like to thank Examiner for his time and attention in examining Applicant's claims.

CONCLUSION

Applicant respectfully requests reconsideration of this application in view of the remarks and arguments provided above. Applicant believes that claims 35, 36 and 38-54 are now in condition for allowance. Because of this, Applicant respectfully requests a timely Notice of Allowance to be issued for this case.

Respectfully submitted,

Date: October 23, 2007

A handwritten signature in black ink, appearing to read 'Greg L. Martinez', is written over a horizontal line.

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